



Datsopoulos, MacDonald & Lind, P.C.

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Missoula Offices

Central Square Building
201 W. Main Street, Suite 201
Missoula, MT 59802

Phone: 406.728.0810
Fax: 406.543.0134

www.dmlaw.com

Hamilton Offices

Hamilton Center
1920 N. First Street, Suite C
Hamilton, MT 59840

Phone: 406.961.9003
Fax: 406.961.9004

www.dmlaw.com

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Milton Datsopoulos
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Sherine D. Fernando

November 29, 2012

Ronald B. MacDonald [1946-2002]

♦ Also admitted in Washington
* Also admitted in Massachusetts

Tina Artemis
Regional Hearing Clerk
U.S. EPA Region 8 (8RC)
1595 Wynkoop Street
Denver, CO 80202-1129

Re: Nelcon, Inc. – CWA-08-2012-0025

Dear Ms. Artemis:

Enclosed please find for filing and consideration, the following documents regarding the above matter:

- 1. Motion for Extension of Time and proposed Order.

Please contact me should you have any questions or concerns regarding the above.

Thank you.

Very truly yours,

DATSOPOULOS, MacDONALD & LIND, P.C.

Rebecca L. Summerville

RLS/dm
Enclosures: As stated
cc: Charles L. Figur, Senior Enforcement Attorney

Rebecca L. Summerville
Datsopoulos, MacDonald & Lind, P.C.
201 West Main - Central Square Bldg.
Missoula, MT 59802
Phone: (406) 728-0810
Email: rsummerville@dmlaw.com
Attorneys for Nelcon, Inc.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

Docket CWA-08-2012-0025

IN THE MATTER OF:)	
)	
Nelcon, Inc.)	UNOPPOSED MOTION FOR
304 Jellison Road)	EXTENSION OF TIME
Kalispell, MT 59903)	
)	
Respondent.)	
_____)	

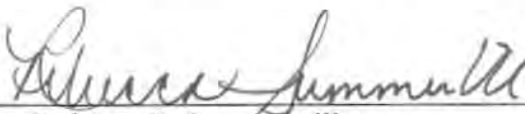
COMES NOW Nelcon, Inc. by and through its counsel, Datsopoulos, MacDonald & Lind, P.C., and pursuant to Section 22.07 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. Part 22, respectfully moves for an extension of time for the date by which an Answer and Request for Hearing must be filed from November 30, 2012 to **December 7, 2012**.

The basis for this request is that counsel needs the additional time to become familiar with the facts and issues raised by the Administrative Complaint.

Counsel for Respondent has contacted EPA counsel concerning this request and has been advised that EPA counsel has no objection.

Respectfully submitted this 29th day of November, 2012.

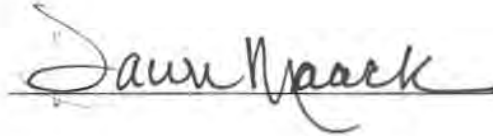
DATSOPOULOS, MacDONALD & LIND, P.C.

By: 
Rebecca L. Summerville

CERTIFICATE OF SERVICE

I, the undersigned, an employee of Datsopoulos, MacDonald & Lind, P.C., hereby certify that a true and correct copy of the foregoing document was mailed, postage prepaid, this 29th day of November, 2012, to the following:

Charles L. Figur
Senior Enforcement Attorney
U.S. EPA Region 8 (8ENF-L)
1595 Wynkoop Street
Denver, CO 80202-1129

A handwritten signature in black ink that reads "Dawn Mack". The signature is written in a cursive style with a horizontal line underneath the name.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

Docket CWA-08-2012-0025

IN THE MATTER OF:)	
)	ORDER GRANTING
Nelcon, Inc.)	EXTENSION OF TIME TO
304 Jellison Road)	FILE ANSWER AND
Kalispell, MT 59903)	REQUEST FOR HEARING
)	
Respondent.)	
_____)	

Having considered the Motion for Extension of Time to File an Answer and Request for Hearing and good cause appearing,

IT IS HEREBY ORDERED that Respondent shall have up to December 7, 2012, to file an Answer and Request for Hearing in this case.

DATED this ____ day of November, 2012.

Regional Administrator

cc: Charles L. Figur
Senior Enforcement Attorney
U.S. EPA Region 8 (8ENF-L)
1595 Wynkoop Street
Denver, CO 80202-1129

Rebecca L. Summerville
Datsopoulos, MacDonald & Lind, P.C.
201 West Main - Central Square Bldg.
Missoula, MT 59802
Attorneys for Nelcon, Inc.